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E-FILED 9-30-08

6 UNITED STATES BANKRUPTCY COURT
7 DISTRICT OF NEVADA

8 In re:
9
10 JOE G HOWARD)
11 KATHERINE M HOWARD)
12 Debtor(s). _____

) In Bankruptcy
) BKS-08-18330BAM
) Chapter 13
)
) NOTICE OF MOTION TO VALUE
)
) COLLATERAL, "STRIP OFF" AND
)
) MODIFY RIGHTS OF BANK OF
AMERICA

13 Hearing Date: 11-6-08
14 Hearing Time: 3:00 pm

15 TO: TO ALL PARTIES OF INTEREST:

16 **NOTICE IS HEREBY GIVEN** that a Motion to Value Collateral, "Strip Off" and
17 Modify Rights of Bank of America Pursuant to 11 U.S.C. §506(a) and §1322 was filed
18 herein on the 30th day of September, 2008, by Sam Benevento, Esq., attorney for
19 Debtor. Any opposition must be filed pursuant to Local Rule 9014(d)(1).

21 **NOTICE IS FURTHER GIVEN** that if you do not want the court to grant the relief
22 sought in the Motion, or if you want the court consider your views on the Motion, then
23 you must file an opposition with the court, and serve a copy on the person making the
24 Motion **no later than 15 days** after the date of this Notice. If the hearing date has been
25 set on less than 15 days' notice, then the opposition must be filed and served **no later**
26 **than 5 business days** before the hearing. The opposition must state your position, set
27 forth all relevant facts and legal authority, and be supported by affidavits or declarations
28 that conform to Local Rule 9014(c).

If you object to the relief requested, you *must* file a **WRITTEN** response to this pleading with the court. You *must* also serve your written response on the person who sent you this notice.

If you do not file a written response with the court, or if you do not serve your written response on the person who sent you this notice, then:

- The court may *refuse to allow you to speak* at the scheduled hearing; and
- The court may *rule against you* without formally calling the matter at the hearing.

NOTICE IS FURTHER GIVEN that the hearing on the said Motion will be held before a United States Bankruptcy Judge, in the Foley Federal Building, 300 Las Vegas Blvd. South, Third Floor, Bankruptcy Courtroom, Las Vegas, Nevada, on the 6th of November, 2008, at 3:00 p.m.

DATED this 30th day of September, 2008.

Respectfully submitted,

BY: /S/ Sam Benevento
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